627 /214 cont./ One who acts in this manner does not do so
684 in blind rage. He knows exactly whom he wants to stab. In such a case one speaks of adjallo' (1). A man whose sister

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1. See above, p. 74. It is completely incorrect to speak in such a case of "amuck"; this term covers an entirely different psychic state. Compare Professor van Wulfften Palthe, "De psychologie van de amok /The Psychology of the Amok/," Fakkel, 1941.

fled years ago and who stabbed her to death at an accidental encounter showed no remorse for his deed, but nonetheless was saddened about her death. He lamented the fact that he /215/ had encountered her. Given this encounter, however, he had been unable, as he saw it, to act in any other way unless he wanted to be regarded as a man without honor. Thus he was in a situation in which he saw no other way out than to kill.

627 Led before the judge, a defendant in a similar case
671 generally confesses without hesitation. In answer to the
682 question how he came to do the deed, he reports that the
684 victim -- in the most fortunate case the maltreated person -- made him siri', and he regards this as sufficient motivation because every Makassarese immediately understands this involves his female relatives, and, on the basis of that, sympathizes with his deed.

● [695] Once they are sentenced by the judge, the defendants rarely appeal. They accept the decision without further ado. They regard their deed as an honorable male act and not as a misdeed. Toward the judge who must sentence them they want to confess nobly, and they do not want reduced

177 /220 cont./ for means to limit this number. In 1906,
627 Governor Kroese issued a circular letter in which he made the
648 suggestion designed to cause the fine to be paid directly at
684 the nikka' and to be accepted by the wife's wali, in cases of silariang marriage. He hoped that the tumasiri'-tumannjala relationship would be directly removed in this way.

However carefully the suggestion may have been handled, the pressure that was exerted was nonetheless too strong. Since that date the fine has in fact been paid at the nikka' in a great many districts, but the tumasiri'-tumannjala relationship nonetheless has remained in existence. Only when we keep in mind these historical facts can we understand why, in a certain region where the wife's father accepts the fine at the nikka' but the sunrang not until the reconciliation, 'making blunt what is sharp' now indicates this sunrang.

684 /221/ According to Moslem law, the wife's wali may
582 refuse his consent to a marriage on the basis of the fact that the woman is of a higher status than the man. In an ordinary case such a difference is reason for refusing a marriage request, even if a different reason is given: "It is not seeming that they should marry" (taena nasiratang), is the usual
[588] expression. If the wali in a case of silariang refuses to give his consent on these grounds, the imam separates them, unless the couple desires to carry through the marriage. In that case the affair goes before the judge. If the decision states that the woman is higher than the man, they are separated. Rather than seeing her married to a man of lower blood, the kinsmen will take her back again though she made them siri'.

684 After such a separation by authority of the imam or judge,
695 there no longer exists any tumasiri'-tumannjala relationship. The functionary concerned reports to the tumasiri' that the

684 /221 cont./ affair is herewith ended and that neither man
695 nor woman may be subjected to any more difficulties. In practice, however, the man, at least initially, does not show his face in a kampong where many of the woman's kinsmen reside. For safety's sake he does not do so until, for instance, she is married to another man, and feelings with regard to him have quieted down somewhat.

626 The feelings with respect to the woman who has been
684 taken back home by her own kin group have not yet completely calmed down either. She has committed a mistake which lies more in the area of the salimara' than that of silariang. She is familiar with the danger connected with it and therefore takes care to conduct herself as inconspicuously as possible, so that her male kinsmen will be reminded as little as possible of her existence. In the few cases that such a separation took place, the woman was practically always married off shortly thereafter. In a single case where this did not happen, she
[588] fled three years later with another man likewise lower. This time the wali nonetheless had to give his consent for the marriage under pressure from the imam, who pointed out that he had taken poor care of this woman's siri' by not finding a man for her.

684 As a reason for having fled with a man, a girl sometimes
834 states that he forced her to do so and that he threatened to kill her if she did not go with him. The jurist who /222/ would accept "forcible abduction," in all such cases would make a mistake. It could not be expected of a girl to confess, even as a sworn witness before the judge, that she went with her "abductor" of her own volition. This would be a sign that she desired him, and this cannot be expected from any woman who is brought up in the idea that the display of this desire (iale) is greatly reprehensible (1).

1. In such a case one might consider not swearing in the abducted woman, of whom it

/226 cont./
Extramarital Pregnancy

848 Pregnancy is naturally a reason for flight for an unmarried woman. For the first few months the male relatives need not notice anything so she can safely remain at home. Her mother or sister is sometimes taken into her confidence, but both will always deny this. If, under these circumstances, a woman does not suceed in persuading the father of her child to flee and marry her, she finally flees by herself and names [588] him to the religious official concerned. Summoned by the imam, the majority of men confess. Thereupon the marriage is carried out, and the couple is henceforth simply regarded and treated as tumannjala.

A man who continues to deny being the father of the child is taken to the Kali of Goa. If he maintains his denial [695] there, he receives the opportunity to swear solemnly in the great mosque of Goa that he did not make this woman pregnant. Once he has performed this oath, he is free. In reality, however, he is still in danger. He will do well not to enter the kampong where the woman used to live. The general opinion is that a woman does not lie under such circumstances. A man who denies being the father of her child, even though he has fortified his denial by an oath, must always take care [627] that one of her /227/ kinsmen will not try to kill him all the same. Only when she has subsequently married another man is he safe.

584 After the man has made his oath, the woman remains
588 in the imam's house until someone comes who wants to marry
848 her. This usually happens after a few days. First an emissary from this man has a talk with the imam, who then conveys the marriage request to the woman. If she is not yet acquainted with her marriage partner-to-be, she is given an opportunity to see him, and she can then decide for herself. If she remains seated silently with bowed head, this is tantamount to her consent. But her expression "tea'" (I don't want to) is accepted. A woman who refuses several candidates one after another will at most be told that she is making

Bali OF7
Makassar OG6
Redjang-Lampong OD12
Batak OD5

Bl 695 [471 cont.] in which the most severe curses are pronounced on the perjurer, is written on a lontar leaf, which is torn into strips and the strips are put in a pot filled with water consecrated by a priest. The person who is to take the oath is given a little of this water to drink, after which the pot, which can only be used once for this purpose, is smashed to pieces. We must also call attention to Mk 695 the Makassarese and Buginese. When an oath of loyalty to the government is taken, even today, a glass of water is brought to the person taking the oath. After he has dipped his kris into it, he drinks the water, thereby signifying, "May I perish by this same steel that I have just dipped into this water, if I am ever untrue to my oath." This way of taking the oath is also found sporadically in the western part of the archipelago. According R-L 695 to Marsden, [472] the Redjang swear by certain objects, which, as sacred heirlooms or pusaka, are thought to have supernatural power. Also, in the state of Lingga a similar way of swearing an oath is found. Among the state regalia, there is a piece of old, rusty iron, called besi kawi, with supernatural power. When an oath is to be taken by one of the sultan's subjects, this iron is put in water for some time and the person taking the oath must drink some of the water. Anyone who swears falsely R-L [789] will be struck by grave misfortune, and if it were a chief, misfortune will strike the whole clan. Furthermore, we find mention here of a sumpah minum ajer keris, an oath involving the drinking of water in which a kris has been dipped, just as among the Makassarese and Buginese. Finally, we must mention the taking of oaths among the Karo-Karo, a Batak tribe that in- Bt 695 habits the interior of Deli in the East Coast Residency of Sumatra. After some uncooked, unhusked rice, some salt, a little piece of curcuma, some black pepper, some water, and some palm wine have been mixed together in a cup, it is handed to the person who is to swear the oath. He must consume it while pronouncing the curse that, if he has spoken untruthfully, the rice, salt, curcuma, pepper, water, and palm wine may cause his death.

2: Wilken--528 E-5 (ca. 1880) 1893 OB1 Indonesia OB1
Redjang-Lampong OD12
Ngadju OC2
Makassar OG4
Batak OD5
Nias OD11
Borneo OC1

Ng 695 [436] [478]

The one who pulls out the scoured coin will be awarded a decision in his favor. Another test among the Dajak is a kind of footrace in which two equally long and parallel tracks must be run by the two combatants, and the one who touches the lance stuck into the ground at the end is the winner. A peculiarity among the Makassarese is the so-called kanre ase, an ordeal that is applied when several persons are suspected of the same crime. Each of the suspects has to put a large ball of cooked, but cold and very dry rice into his mouth and try to eat it without taking a drink. The one who does not succeed in doing this or does so only with great difficulty is the guilty one. Rice-swallowing also occurs as an ordeal among the Batak. The ordeals whereby disputes are settled by the flounderings of a slaughtered chicken are generally widespread. Among the Niassans the disputants are placed side by side, and the loser is the one against whose legs the animal flops. Among the Lampong the plaintiff and defendant are put opposite each other and a line is drawn between them; the one declared guilty is the one sitting on the side of the line where the chicken, after its flounderings, draws its last breath. The Batak, too, have an ordeal, called tampul manuk, whereby the result of a case depends on whether the slaughtered chicken lies with its right side up or its left side up at the end of its flounderings. Among the Dajak this test is done somewhat differently. Both parties slaughter a chicken. The one whose chicken shows signs of life the longest by its convulsions is the winner.

Bt M 695

RL Ni 695

Bt 695

Br 695

[479]

Appendix

j. Codes of Law

Java

I 671

As far as the most civilized peoples are concerned, the criminal law of the peoples of the Malay Archipelago can be learned from the existing codes of law. In conclusion, we shall briefly discuss them.

C 563 Buludua which is on the side road from the main Watumpone-Makassarese highway. Later I talked with Thierens, and was astonished to have at last found the Toala. There is in the western part of Bone, on the border of Parepare and Barru, a wanua called Telu Limpoe, which is Sarasin's name for the three tribes of the Toala. They are under the Sulewatang of Telu Limpoe, a young and able lad. I must go by the poor road westward from the Watumpone-Sindjai highway, and then walk a distance. Remarkable, by checking Denzo's To Patuntung area with Thieren's Telu Limpoe area I find that they are just about the same. This is a puzzle. Are they Toala, or were they To Patuntung? If so, why no temples and stones and pinati and K. Lowe? My guess is that there are To Patuntung and To Patuntung. Those like the Toala were so remote and primitive that they lack even the Hinduist influence of the real To Patuntung. But one thing is clear. In the mountains here there must be any number of small groups of people like this. Exploration would find them and I could do it if I had the time. Now I begin to see why the Toala matter may well be just the lowest point on the scale of the non-Mohammedan remote peoples in the mountains of South Celebes.

M 793 692 622 In regard to the judicial system of Bone, Thierens explained a number of items. For questions of a religious nature, the first one to whom the people in the kampong go is the religious teacher, the guru. If nothing can be decided, the case goes to the imam of the wanua. If it is still no go, it goes to the Sjarat of Bone, on which are the various kali. If the case is still undecided, it goes to the Hadat Besar, a supreme court which handles both religious and other cases. As for civil and criminal cases, they start with the kepala kampong. If more than f.100 is involved, or the case cannot be decided (i.e., one of the parties is not satisfied), it then goes to the Hadat Ketjil, the court of the wanua, which has the kepala wanua and two of the kepala kampongs on it. If this is still ineffective, it goes to the Hadat Besar in Watumpone. And still further one can appeal to the resident of Celebes, or, and some do, to Batavia. The tradition is that any man can appeal cases. And in this one matter they are open and brave (berani). They will appeal. In fact, Thierens said that his office dealing with civil and criminal matters is deluged with letters and every one must be answered. Also he added that when he is in the office in Makassar he gets letters too, as a man with an appeal will send copies of a letter to the local office, the state

● 695 661 668 212

Makassar OG6
Sadang OG8

office and even to Batavia. The trouble with Wadjo is that many letters there are left unanswered because friends of the corrupt administration are involved. But the controleur is catching them, as he gets copies in the office at Watumpone and then goes to Wadjo and asks why no answer. This is evidently the reason, or one of them, that the Wadjo folk are ready to revolt against the radja and the government. The letters are written by letter writers, who charge a fee to write them in most kampongs. M 695 661 668 212

In regard to Wadjo and Soppeng, Denzo said that the latter is pretty good and that the radja sees this is an overgangstijd [transitional period], as does his administration. Thus the situation is not so bad. But he agrees that Wadjo is awful.

Incidental: I see from the Sadang notes that the swing [During the period of rice ripening, swings are made of ratan, rope, and buffalo hide. The swings are attached to the branch of a tree. In some areas (Kesu, Sadang, and Balusu) boys and girls swing together. Swinging is done to promote the growth of the grains of rice. In some parts of the Sadang area (e.g., Rimbon), the swinging is done by women who also sing a song of gratitude for a good harvest. This custom apparently survives principally as a children's game. All references to swinging will be found in category 524. --Analyst] is used during the entire period of rice planting or rice ripening. S 524 243

I noted that the three-window front of a house, which I had thought was specifically Makassarese, is also found on Buginese houses in the mountains, for example in Soppeng. Thus all that has happened is that the Makassarese have kept it well, while the Buginese in the coastal and other areas tend to lose it. M 342 178

On the way up to Makale, I saw plenty of Toradja, including a coffin on a platform in the yard. The platform was made of bamboo. Bohn in Paloppo and my notes on van der Veen say that this is probably the Luwu group of Sadang. And Bohn corroborates that many are descendants of slaves who were brought there. They live mainly in separate kampongs from the Buginese and there are very few mixed kampongs. They have little social contact, except trading. They practically never intermarry. M 563

On the way in I noticed that the place around Rantepao is full of niche graves. Nearly every appropriate rock face has at least one, together with an ornate door. In these rather solitary ones, however, I did not notice the tautau. M 764